NEWPORT BEACH ZONING ADMINISTRATOR MINUTES 100 Civic Center Drive, Newport Beach Corona del Mar Conference Room (Bay E-1st Floor) Monday, December 23, 2013 REGULAR HEARING 3:30 p.m.

A. CALL TO ORDER – The meeting was called to order at 3:30 p.m.

Staff Present: Brenda Wisneski, Zoning Administrator

Makana Nova, Assistant Planner Gregg Ramirez, Senior Planner

B. MINUTES of December 12, 2013

Action: Approved

C. PUBLIC HEARING ITEMS

ITEM NO. 1 Macy's Sign Modification Permit No. MD2013-020 (PA2013-207) 101 Newport Center Drive

CD 5

Makana Nova, Assistant Planner, provided a brief update of the signage proposed for Macy's within Fashion Island Shopping Center, stating that the item had been continued from the December 12, 2013 Zoning Administrator hearing and that the applicant had reduced the size of the proposed signage on the east elevation by 9 inches. She noted that the proposed signs are halo backlit channel letters mounted to solid wood backing to provide an even mounting surface for the new signs.

The Zoning Administrator indicated that after reviewing the staff report and revised sign plans she was satisfied with the revised plans provided by the applicant for the east elevation. She indicated that the updated exterior elevations and visual simulations were especially helpful in understanding the aesthetic implications of the requested signage and why the background mounting surface was necessary.

Ms. Nova clarified that the letter sign on the east elevation had been lowered as a result of the reduced size of the sign. She also recommended the deletion of Condition No. 2 as suggested by Mr. Mosher in his written comments.

The Zoning Administrator then opened the public hearing.

Applicant Shawna Schaffner of CAA Planning, representing the Irvine Company, indicated that she felt the staff report was thorough, that they were sensitive to the prior comments provided by the Zoning Administrator and that the current submittal is better than the prior submission.

One member of the public, Jim Mosher, reiterated his opinion that relocating the big sign over the entrance would be more efficient than the requested modification, that the existing sign is not difficult to see, and that the requested size (four times the size of the existing sign) is excessive.

There were no other public comments.

The Zoning Administrator noted the need for both signs on each façade and identified that the existing sign over the entrance is exceptionally small. The Zoning Administrator approved Modification Permit No. MD2013-020 (PA2013-207) with the deletion of Condition No. 2 of the draft conditions of approval.

Action: Approved

ITEM NO. 2 Bari Studio Minor Use Permit No. UP2013-026 (PA2013-230) 2125 San Joaquin Hills Road

CD 5

Gregg Ramirez, Senior Planner, provided a brief project description stating that the requested minor use permit was to allow a 3,176-square-foot health and fitness facility in a vacant tenant space within a multi-tenant building located in Block 500 Newport Center.

Ramirez further stated all of the required findings could be made and recommended approval to the Zoning Administrator. He also requested the Zoning Administrator consider extending the closing hour of 8:00 pm to 10:00 pm, daily, to allow for flexibility in case the operator would like to provide classes later in the evening or if a change in the business model or ownership occurred. He further stated that there were no residential uses nearby and was not aware of other businesses open till 10:00 pm, except for possibly 24 Hours Fitness. Further in stated that the Manager of Bari Studio was available for questions.

The Zoning Administrator questioned staff about public comments received and stated she agreed with the suggested clarification to Condition of Approval No. 11 and saw no other issues. She also commended staff with their research of ADA issues and providing the flexibility with parking.

The Zoning Administrator opened the public hearing. One member of the public, Jim Mosher, questioned the location of 24 Hour Fitness and thought the business was closed; he noted that the hours of operation should be the same as a similar business located in the building known as Power Fitness; he questioned if three staff members were enough to accommodate 24 patrons; and questioned the City's chain of authority with the parking requirement decision.

The manager of Bari Studio clarified that three staff members were plenty for 24 patrons. She indicated Power Fitness is more of a private training facility and their studio focuses more on health and wellness and that they agreed with the suggested hours.

There were no other public comments.

To be consistent with the surrounding area the Zoning Administrator recommended Condition of Approval No. 9 be amended to 9:00 pm, daily, and noted that a correction to Condition of Approval No. 11 be made per comments received from Mr. Jim Mosher. The Zoning Administrator then took action and approved Minor Use Permit No. UP2013-026

Action: Approved

D. PUBLIC COMMENTS ON NON-AGENDA ITEMS

A member of the public, Mr. Jim Mosher, stated that he went to the City Clerk's office per the direction of the Zoning Administrator, to inquire about the audio from previous meetings that had disappeared from the City's website and confirmed that the links were intentionally removed and that the public will never be able to access the Zoning Administrator audio from the City's website. He stated that he feels it is a very bad public policy; that the recordings are useful documentation and that they are prepared at tax payer expense. Furthermore, he explained that they should not be destroyed as they are no cost to keep.

E. ADJOURNMENT

The hearing was adjourned at 3:43 p.m.

The agenda for the Zoning Administrator Hearing was posted on December 19, 2013, at 4:35 p.m. in the Chambers binder and on the digital display board located inside the vestibule of the Council Chambers at 100 Civic Center Drive and on the City's website on December 19, 2013 at 5:30 p.m.

Brenda Wisneski, AICP, Zoning Administrator